

EXECUTIVE OFFICER SUMMARY REPORT  
May 12, 2004

ITEM: 9

SUBJECT: NPDES PERMIT REVISION: WASTE DISCHARGE  
REQUIREMENTS FOR U.S. NAVAL BASE POINT LOMA  
SAN DIEGO COUNTY (TENTATIVE ADDENDUM NO. 2 TO  
ORDER NO. R9-2002-0002, DRAFT NPDES PERMIT NO.  
CA0109363) (Paul J. Richter)

PURPOSE: To obtain information from interested parties regarding the  
proposed Addendum and to consider the adoption of the tentative  
Addendum. If adopted the tentative Addendum will modify the  
Monitoring and Reporting Program (MRP) for Naval Base Point  
Loma (NBPL).

PUBLIC NOTICE: The NPDES permit hearing notice was published in the San Diego  
Union-Tribune on March 12, 2004 for the Regional Board meeting  
scheduled for April 2004. Since the April 14, 2004 meeting was  
postponed, an additional NPDES permit hearing notice was  
published in the San Diego Union-Tribune on April 13, 2004.

Copies of the tentative Addendum were mailed on February 26,  
2004 to the discharger and to all known interested parties and  
agencies. Copies were made available for public review at the  
Regional Board office on February 26, 2004.

These actions served as the 30-day official public notification for  
this action, as required by Title 40, Section 124.10 of the Code of  
Federal Regulations.

DISCUSSION: By letter dated November 13, 2003, the U.S. Navy requested that  
the MRP for the NBPL be amended to modify the notification and  
video taping requirements for the ARCO Floating Dry Dock when  
industrial activity has not occurred on the dry dock.

The modification would eliminate the video taping of the flooding  
of the dry dock when industrial activity has not occurred, such as,  
when the dry dock is flooded as a training exercise. The  
modification would also require notification and certification

regarding the use of the dry dock during flooding when industrial activity has not occurred.

Order No. R9-2002-0002 currently requires video taping of every flooding event, even if there has not been any industrial activities conducted prior to flooding. If industrial activities have not occurred, the dry dock would be clean. The certification requirement in the modification will ensure a clean dry dock prior to flooding of the dry dock when no industrial activities have occurred.

The Regional Board has not received any comments since the rescheduling of the April 14, 2004 Regional Board meeting to May 12, 2004.

COMPLIANCE:

According to information provided by the State Board, the U.S. Navy has not paid its current annual fee for this facility. The Navy was invoiced \$16,185 for this facility. The State Board sent the Navy a *Demand Letter* on January 22, 2004, and sent a *Notice of Violation* (NOV) on February 26, 2004.

LEGAL CONCERNS:

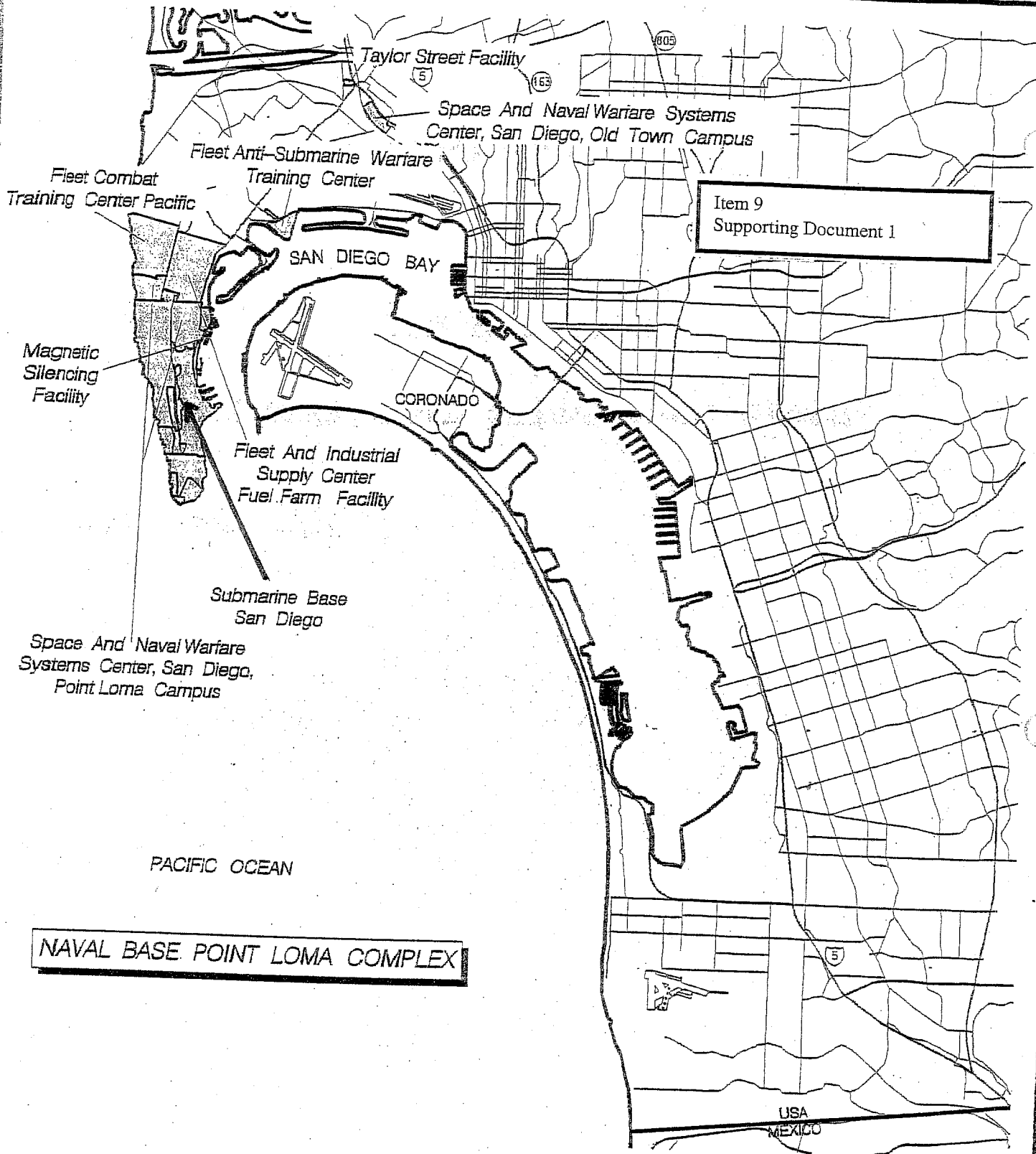
None.

SUPPORTING  
DOCUMENTS:

1. Location map and vicinity map.
2. Tentative Addendum No. 2 to Order No. R9-2002-0002.
3. Transmittal letter dated February 26, 2004.
4. Affidavit of Publication for public notice dated March 12, 2004.
5. Affidavit of Publication for public notice dated April 13, 2004.

RECOMMENDATION:

Adopt tentative Addendum No. 2 to Order No. R9-2002-0002.



## NAVAL BASE POINT LOMA COMPLEX

### LOCATION MAP

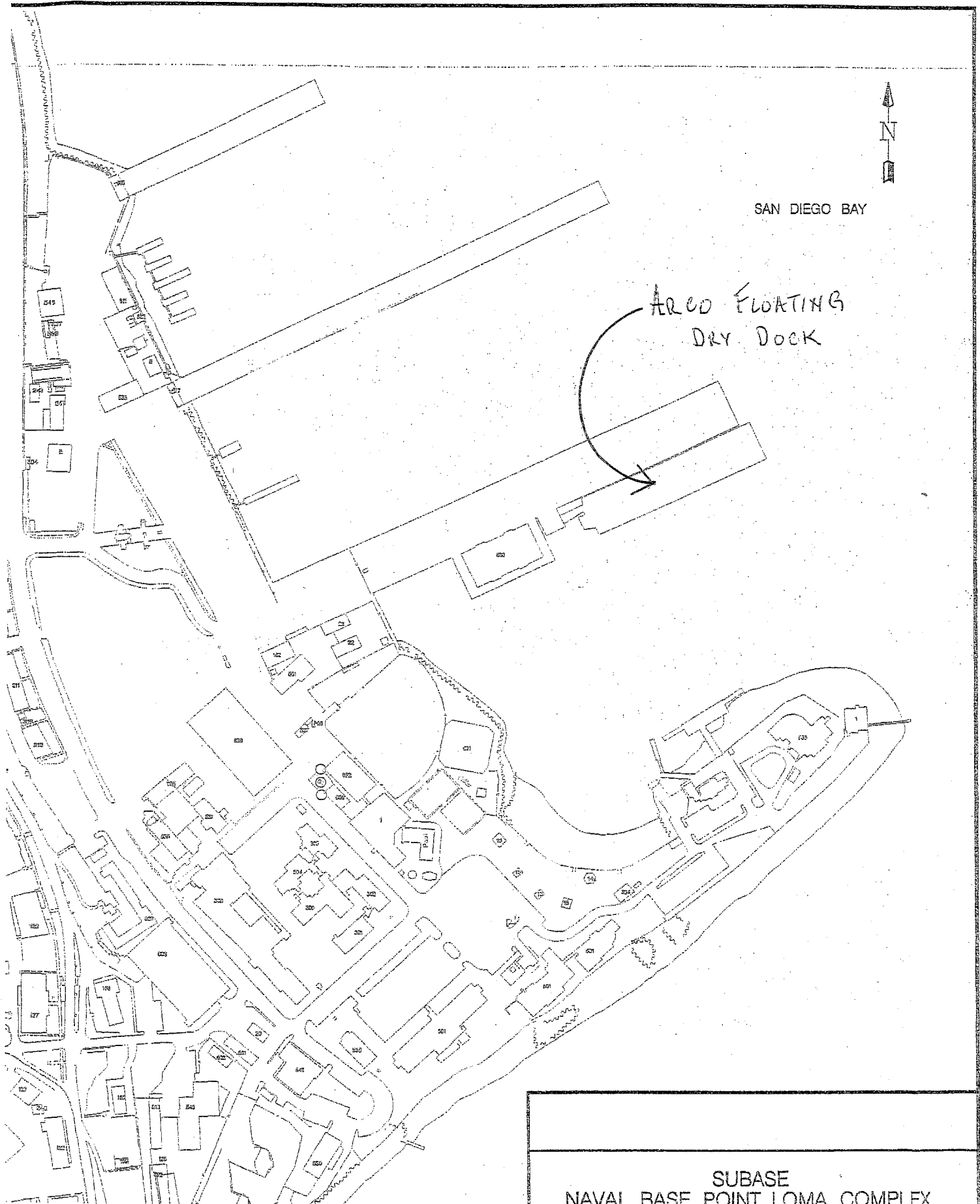
### NAVAL BASE POINT LOMA COMPLEX



NAVY PUBLIC WORKS CENTER  
CODE 940  
2730 MCKEAN ST. SUITE 1  
SAN DIEGO, CALIFORNIA 92136

Date: 03 APR 102  
File No. 107018a.dgn

NPDES



SAN DIEGO BAY

ARCO FLOATING  
DRY DOCK

0 100 200 400

SCALE: 1 inch = 200 feet

SUBASE  
NAVAL BASE POINT LOMA COMPLEX



NAVY PUBLIC WORKS CENTER

CODE 940  
2730 MCKEAN ST. SUITE 1  
SAN DIEGO, CALIFORNIA 92136

Date: 01-FEB-2001  
File No. lbr024.dgn

NPDES

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**Tentative ADDENDUM NO. 2**

**TO**

**ORDER NO. R9-2002-0002**

**NPDES PERMIT NO. CA0109363**

**WASTE DISCHARGE REQUIREMENTS**

**FOR**

**U.S. NAVY**

Item 9 Supporting Document 2
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**NAVAL BASE POINT LOMA**

**SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region, (hereinafter Regional Board), finds that:

1. On September 1, 2002 this Regional Board adopted Waste Discharge Requirements (WDR) for the U.S. Navy, Naval Base Point Loma (NBPL). A Monitoring and Reporting Program (MRP) was included in the WDR for the NBPL.
2. By letter dated November 13, 2003, the U.S. Navy requested that the MRP for the NBPL be amended to modify the notification and video taping requirements for the ARCO Floating Dry Dock when industrial activity has not occurred on the dry dock. The modification would eliminate the video taping of the flooding and require notification and certification regarding the use of the dry dock during flooding when industrial activity has not occurred, such as when the dry dock is flooded as a training exercise.
3. This Addendum will modify the MRP for the NBPL to allow the flooding of the dry dock without a 48-hour notification or video taping the flooding event.
4. This Regional Board has notified the discharger and all known interested parties of its intent to amend NPDES waste discharge requirements for the discharges of waste from the NBPL.
5. This Regional Board has, at a public meeting, heard and considered all comments pertaining to the discharge of wastes from the U.S. Navy, NBPL Complex, to San Diego Bay or surface waters of the State.

**IT IS HEREBY ORDERED**, that the *U.S. Navy* (hereinafter discharger), in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the Clean Water Act (CWA) and the regulations adopted thereunder, shall comply with the following requirements for discharges of wastes from the Naval Base Point Loma to San Diego Bay or other surface waters of the State:

*On page M-7, replace SUBASE ARCO A.4. of Monitoring and Reporting Program (MRP) No. R9-2002-0002 with the following:*

**4. SUBASE ARCO**

Floating dry dock submergence and emergence water:

The discharger shall provide written notification to the Regional Board at least 48 hours prior to flooding of its floating dry dock.

The discharger shall record on VHS videotape the condition of its floating dry dock immediately prior to each flooding when industrial activity has occurred in the dry dock. The videotape recordings shall include the beginning of the flooding of the floating dry dock. Quarterly, the discharger shall submit the videotape to this Regional Board.

The discharger does not need to record on VHS videotape the condition of the dry dock prior to flooding when the dry dock has not had industrial activity occur and a flooding evolution is required for training or other purposes. The discharger must submit a quarterly certification statement regarding the condition of the dry dock prior to flooding when the dry dock has not had industrial activity occur.

If the floating dry dock was not flooded during the quarter, the discharger shall document in the quarterly monitoring report that no flooding occurred during that monitoring period.

Floating Dry Dock Ballast Tank Monitoring

The discharger shall submit U.S. Navy and ASTM reports certifying the integrity of its floating dry dock ballast tank.

Ordered by: \_\_\_\_\_ tentative \_\_\_\_\_  
JOHN H. ROBERTUS  
Executive Officer

Date: April 14, 2004



# California Regional Water Quality Control Board

## San Diego Region



Terry Tamminen  
Secretary for  
Environmental  
Protection

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
(858) 467-2952 • Fax (858) 571-6972  
<http://www.swrcb.ca.gov/rwqcb9>

Arnold Schwarzenegger  
Governor

February 26, 2004

Item 9  
Supporting Document 3

Mr. Rob Chichester, Deputy Asst. Chief of Staff  
Environmental Department N45RW. RC  
U.S. Navy  
33000 Nixie Way-Bldg. 50, Suite 326  
San Diego, CA 92147-5110

In reply refer to:  
IC: 03-538.01: richp

Dear Mr. Chichester:

TENTATIVE ADDENDUM NO. 2 TO ORDER NO. R9-2002-0002, NPDES NO. CA0109363, WASTE DISCHARGE REQUIREMENTS FOR U.S. NAVY, NAVAL BASE POINT LOMA, SAN DIEGO COUNTY; WDID NO. 9 000000538

The Regional Board has received your letter dated November 13, 2003 requesting that the monitoring requirements for the ARCO Floating Dry Dock at the Naval Base Point Loma (NBPL) requires monitoring for flooding events when industrial activities, such as ship repair, have not occurred. We understand that flooding events may occur for training. You requested that the National Pollutant Discharge Elimination System (NPDES) permit for the NBPL be amended to allow flooding of the dry dock for non-industrial activities without prior notification or videotaping of the event.

The Regional Board has reviewed your request and does not object to considering a modification to your waste discharge requirements. We have enclosed a tentative Addendum, which would, if adopted, modify the monitoring requirements in Monitoring and Reporting Program (MRP) No. R9-2002-0002 to allow the flooding of the dry dock without prior notification or making a videotape of the flooding. The tentative Addendum will also the U.S. Navy to submit a quarterly certification that the ARCO Floating Dry Dock was not used for industrial activities prior to the flooding event.

The tentative Addendum will be presented to the Regional Board on Wednesday, **April 14, 2004**. The meeting will begin promptly at 9:00 a.m. and will be held at the following location:

San Diego Regional Water Quality Control Board  
Regional Board Meeting Room  
9174 Sky Park Court, Suite 100  
San Diego, California

California Environmental Protection Agency

Mr. Chichester  
Deputy Asst. Chief of Staff  
U.S. Navy

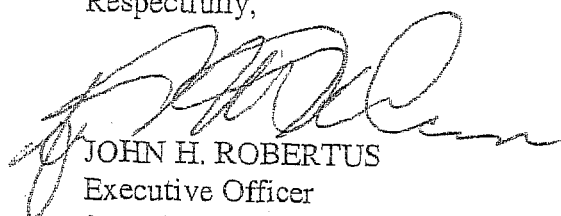
- 2 -

February 24, 2004

Please review and comment on the tentative Addendum at your earliest convenience. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Friday, March 26, 2004. Written material submitted after 5:00 P.M. on Wednesday, April 7, 2004 will not be provided to the Regional Board members and will not be considered by the Regional Board.

If you have any questions regarding the above, please contact Mr. Paul J. Richter at (858) 627-3929 or by e-mail at [richp@rb9.swrcb.ca.gov](mailto:richp@rb9.swrcb.ca.gov).

Respectfully,



JOHN H. ROBERTUS  
Executive Officer  
San Diego Regional Water Quality Control Board

JHR:mpm:jrp:pjr

Enclosures: Tentative Addendum No. 2 to Order No. R9-2002-0002.

cc: Terry Oda, Chief  
USEPA (w/ attachment)

John Richards  
SWRCB (w/ attachment)

Laura Hunter  
Environmental Health Coalition (w/ attachment)

Bruce Resnik  
San Diego BayKeeper (w/ attachment)

Cory J. Briggs, Esq. (w/ attachment)  
Briggs Law Corporation



# Affidavit of Publication

CALIFORNIA NEWSPAPER SERVICE

PO BOX 60460

LOS ANGELES, CA 90060-0460

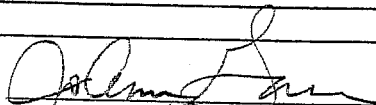
ATTN:

STATE OF CALIFORNIA} ss.  
County of San Diego}

The Undersigned, declares under penalty of perjury under the laws of the State of California: That....She is a resident of the County of San Diego. THAT....She is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that .....She is not a party to, nor interested in the above entitled matter; that ....She is..... Chief Clerk for the publisher of .....

The San Diego Union-Tribune a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following date, to-wit:

MARCH 12, 2004

  
Chief Clerk for the Publisher

# Affidavit of Publication of

Legal Classified Advertisement

Ad # 8878231

Ordered by:

Item 9

Supporting Document 4

## HEARING CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

Pursuant to the requirements of the National Pollution Discharge Elimination System (NPDES) permitting program for the discharge of wastewater to navigable waters, the California Regional Water Quality Control Board, San Diego Region (Regional Board) intends to consider the following actions:

Adoption of tentative Addendum No. 2 to Order No. R9-2002-0002, NPDES Permit No. CA0109363, Waste Discharge Requirements for U.S. Navy, Naval Base Point Loma, San Diego County.

Adoption of tentative Addendum No. 1 to Order No. R9-2003-0008, NPDES Permit No. CA0109185, Waste Discharge Requirements for U.S. Navy, Naval Base Coronado, San Diego County.

Adoption of tentative Order No. R9-2004-0065, NPDES Permit No. CA0109207, Waste Discharge Requirements for Van Ommering Dairy, San Diego County.

Adoption of tentative Resolution No. R9-2004-0013, Recommendation to the State Water Resources Control Board for the Adoption of an Exception to the California Ocean Plan for the University of California, Scripps Institution of Oceanography, La Jolla.

The Regional Board wishes to obtain information to assist it in determining the proper requirements for the proposed actions. A public hearing will be held by the Regional Board to consider the proposed actions. The public hearing is scheduled to begin at 9:00 a.m. on Wednesday, April 14, 2004 at the following location:

San Diego Regional Water Quality Control Board Regional Board Meeting Room 9174 Sky Park Court Suite 100 San Diego, California

Interested persons are invited to attend to express their views on the above mentioned items. Oral statements will be heard, but for the accuracy of the record, all important testimony should be in writing. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, March 31, 2004. Written material submitted after 5:00 P.M. on Wednesday, April 7, 2004 will not be provided to the Regional Board members and will not be considered by the Regional Board. Presentations should be brief to allow all interested parties time to be heard.

Please contact Mr. Paul J. Richter at (858) 627-3929 or by email at richp@rb9.swrcb.ca.gov for information regarding the issuance of tentative Addendum No. 2 to Order No. R9-2002-0002 and tentative Addendum No. 1 to Order No. R9-2003-0008.

Please contact Ms. Sabina Kneidl at (858) 467-2725 or by email at kneids@rb9.swrcb.ca.gov for information regarding the issuance of tentative Order No. R9-2004-0065 and tentative Resolution No. R9-2004-0013.

All documents, comments received, and other information related to the above mentioned items are on file and may be reviewed at the office of the Regional Board at 9174 Sky Park Court, Suite 100, San Diego, CA 92123. Telephone: (858) 467-2952; FAX: (858) 571-6972, or the Internet Website at: www.swrcb.ca.gov/rwqcb9.

Review of information and files can be conducted on the following dates and times: Monday, Tuesday, and Friday from 8:30 to 11:30 a.m., and Monday and Thursday from 1:30 to 4:30 p.m. Please bring the foregoing to the attention of any person known to you who would be interested in these matters.

JOHN H. ROBERTUS  
Executive Officer

March 12, 2004

03/12/04  
CNS: 448362#  
The San Diego  
Union-Tribune

# Affidavit of Publication

CALIFORNIA NEWSPAPER SERVICE

PO BOX 60460

LOS ANGELES, CA 90060-0460

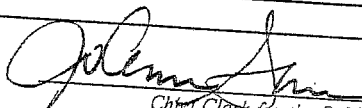
ATTN:

STATE OF CALIFORNIA) ss.  
County of San Diego)

The Undersigned, declares under penalty of perjury under the laws of the State of California: That....She is a resident of the County of San Diego. THAT....She is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that .....She is not a party to, nor interested in the above entitled matter; that ....She is..... Chief Clerk for the publisher of .....

The San Diego Union-Tribune a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following date, to-wit:

APRIL 13, 2004

  
Chief Clerk for the Publisher

## Affidavit of Publication of

Legal Classified Advertisement

Ad # 8941952

Ordered by: EMAIL

Item 9  
Supporting Document 5

### NOTICE OF PUBLIC HEARING CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

Pursuant to the requirements of the National Pollution Discharge Elimination System (NPDES) permitting program for the discharge of wastewater to navigable waters, the California Regional Water Quality Control Board, San Diego Region (Regional Board) intends to consider the following actions:

Adoption of tentative Addendum No. 2 to Order No. R9-2002-0002; NPDES Permit No. CA0109363; Waste Discharge Requirements for U.S. Navy, Naval Base Point Loma, San Diego County.

Adoption of tentative Addendum No. 1 to Order No. R9-2003-0008; NPDES Permit No. CA0109185; Waste Discharge Requirements for U.S. Navy, Naval Base Coronado, San Diego County.

Adoption of tentative Resolution No. R9-2004-0013; Recommendation to the State Water Resources Control Board for the Adoption of an exception to the 2001 California Ocean Plan for the University of California, Scripps Institution of Oceanography, La Jolla.

The Regional Board wishes to obtain information to assist it in determining the proper requirements for the proposed actions. A public hearing will be held by the Regional Board to consider the proposed actions. The public hearing is scheduled to begin at 9:00 a.m. on Wednesday, May 12, 2004 at the following location:

City of Laguna Beach  
City Council Chambers  
505 Forest Avenue  
Laguna Beach, California

Interested persons are invited to attend to express their views on the above mentioned items. Oral statements will be heard, but for the accuracy of the record, all important testimony should be in writing. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 28, 2004. Written material submitted after 5:00 P.M. on Wednesday, May 5, 2004 will not be provided to the Regional Board members and will not be considered by the Regional Board. Presentations should be brief to allow all interested parties time to be heard.

Please contact Mr. Paul J. Richter at (858) 627-3929 or by email at: richp@r9.swrcb.ca.gov for information regarding the issuance of tentative Addendum No. 2 to Order No. R9-2002-0002 and tentative

was a citizen of the United States, over the age of twenty-one years, and that .....She is not a party to, nor interested in the above entitled matter; that ....She is..... Chief Clerk for the publisher of .....

The San Diego Union-Tribune a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following date, to-wit:

APRIL 13, 2004

  
Chief Clerk for the Publisher

## SAN DIEGO REGION

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Adoption of tentative Addendum No. 1 to Order No. R9-2003-0003; NPDES Permit No. CA0109185; Waste Discharge Requirements for U.S. Navy, Naval Base Coronado, San Diego County.

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City Council Chambers  
505 Forest Avenue  
Laguna Beach, California

Interested persons are invited to attend to express their views on the above mentioned items. Oral statements will be heard, but for the accuracy of the record, all important testimony should be in writing. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 28, 2004. Written material submitted after 5:00 P.M. on Wednesday, May 5, 2004 will not be provided to the Regional Board members and will not be considered by the Regional Board. Presentations should be brief to allow all interested parties time to be heard.

Please contact Mr. Paul J. Richter at (858) 627-3929 or by email at: [richp@rb9.swrcb.ca.gov](mailto:richp@rb9.swrcb.ca.gov) for information regarding the issuance of tentative Addendum No. 2 to Order No. R9-2002-0002 and tentative Addendum No. 1 to Order No. R9-2003-0003.

Please contact Ms. Sabine Knedlik at (858) 467-2725 or by email at: [kneds@rb9.swrcb.ca.gov](mailto:kneds@rb9.swrcb.ca.gov) for information regarding the issuance of tentative Resolution No. R9-2004-0013.

All documents, comments received, and other information related to the above mentioned items are on file and may be reviewed at the office of the Regional Board at 9174 Sky Park Court, Suite 100, San Diego, CA 92123, telephone (858) 467-2952, FAX (858) 571-6972, or the Internet Website at: [www.swrcb.ca.gov/rwqcb9](http://www.swrcb.ca.gov/rwqcb9).

Review of information and files can be conducted on the following dates and times: Monday, Tuesday, and Friday from 8:30 to 11:30 a.m., and Monday and Thursday from 1:30 to 4:30 p.m. Please bring the foregoing to the attention of any person known to you who would be interested in these matters.

JOHN H. ROBERTUS  
Executive Officer

April 12, 2004

04/13/04  
CNS-663166#  
The San Diego